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Academic Freedom under Political Duress: Israel

POLITICAL DURESS WITHIN THE ACADEMIC COMMUNITY IS A STRONG sense that there is a threat of external interference with core academic values and freedoms such as free inquiry, free speech, institutional autonomy, and personal safety. Of course, a “strong sense” is subjective and not easily measurable and a certain degree of duress is probably part and parcel of academic life. Political duress in academia, however, is somewhat more focused because it relates to intended attempts to curtail the freedoms mentioned above, or at least to restrain them. Consequently, when we say “political” we need to specify the worldview and the interests involved.

After a short introduction on the background of Israeli Higher Education Institutions (HEI), this article will focus on two current threats to academic freedom in Israel. First, political intimidation originating from extreme nationalistic and religious groups aimed at silencing “nonloyal” voices inside as well as outside the universities; second, a process of “commodification” in the form of political-administrative pressures on HEI, and the enforcement of “management” and privatization policies. Academic freedom is under duress in Israel because of the combination of these two different forces. They have been persistent for quite some time and now share a general attitude and goal: the “taming” of HEI. The result has been a major crisis in Israeli higher education, both morally and financially.

BACKGROUND

Education and learning, including higher education, were a top public priority among Jews in British Mandate Palestine and those in the diaspora concerned with Jewish settlement in Palestine before Israel was established in 1948. The Institute of Technology (Technion, 1924), the Hebrew University (1925), and the Weizmann Institute (1934) were established in the prestate period and achieved international reputation early in their existence.

In the first years of the state most spheres of life—health services, housing, and primary and secondary education—were highly politicized, and some of these services were run by organizations directly affiliated with political parties (Galnoor, 1985: 154-165). One area which was surprisingly saved from partisan politics was Higher Education (HE). This was surprising for three reasons. First, it would have been very tempting to try and harness HE to the pioneering collective endeavors of the new state by political interventions in the curriculum and in other ways. Second, HEI, which required relatively heavy investments (tuition was very low, almost free), were financed by the state and donations from abroad. Third, although in the highly centralized state of that period the opposition to the policies of the dominant party was weak, some of the most vocal opposing views to government policies in the area of security and foreign affairs could be heard from a few rather influential professors at the Hebrew University. The most famous among them were Judah L. Magnes, Martin Buber, and later Yeshayahu Leibovitz.

Thus one would have expected an attempt by the government to curtail this opposition and even set up a legal and organizational structure capable of doing so. It should be noted that the right-wing opposition parties in the Knesset would have not objected, since the dissenting academics were considered to be on the left as far as national issues were concerned. To be sure, all of the above occurred to some extent: there were pressures to be "relevant" to nation-building (for example, the high priority given to setting up a Faculty of Agriculture at the Hebrew University); attempts to delegitimize dissenting academ-

ics; and some attempts to control HE administratively. In retrospect, however, we can see and appreciate that none of these measures were pushed relentlessly or actually succeeded. The best example of this failure of political intervention in the early years of the state is the Higher Education Law of 1958. In the deliberations in the Knesset on this bill there were suggestions to put HE under tight control of the Ministry of Education, or to set up a supervising council composed of representatives of the political parties (Volansky, 2005: 31-63). In the end, this law—which still governs HE in Israel—used the British model to set up the Council for Higher Education (CHE) and later the Planning and Budgeting Committee (PBC) of this council. These two autonomous bodies were and still are responsible for the accreditation, regulation, and allocation of public funds from the state budget to all public HEI in Israel. The chair of the CHE is the minister of education, but the great majority of the CHE's 25 members are independent academics from universities and colleges. Similarly, the chair of the PBC and the deputy chair of the CHE are elected by the council and the tradition has been that they were not identified with political parties. Thus a public HE system was created that is often referred to as a “buffer” between academic self-government and state funding.

Was it truly independent? The answer is positive compared to other institutions (with the exception of the judicial system) in the highly politicized Israel of those days. Was there academic freedom and free inquiry at the universities? Again the answer is yes, because of the prestate tradition. Moreover, the intellectual and political involvement of academics continued, as well as the freedom to voice different opinions and to oppose powerful leaders. The most famous case was a small group of intellectuals, academics, and politicians called *Min Haysod* (meaning “from the foundation”), established in 1962 in the wake of the “Lavon Affair.”¹ The group called for the resignation of David Ben-Gurion, Israel's founding father. In short, despite the accusations that the universities were used as platforms for subversion, no sense of political intimidation existed at that time and there were no proven cases of firing academics because of their political opinions.² Thus, the

“buffer” created in the 1950s worked by and large and HE enjoyed an adequate degree of independence and self-governance.

The voices of opposition heard in the academic circles in those early days were, however, minimal. The universities were not outside the “establishment” and they were part and parcel of the Jewish national project. Moreover, the HE system was relatively small and elitist, based on the European model. In the early 1960s, only about 15 percent of the relevant age group reached the universities. The student body was composed mainly of children of the veteran groups and did not reflect the changing social fabric of the country. Its elitism was expressed in discrimination against women, oriental Jews, and Arab citizens—a situation that could not continue once social-economic conditions in Israel started to change

CHANGES

As of 2008 there are 62 institutions of HE in Israel: 8 universities, including an open university; 27 general and specialized academic colleges; and 27 teacher-training colleges. Among these there are eight so-called “private” not-for-profit colleges that rely on very high tuition charges and take no public funds.

The worldwide process of extending HE to a large part of the population has been intense and rapid in Israel. In 2008 about a quarter of a million students were in the entire academic HE system. The percentage of those in the relevant age group that reached HE has increased to 44. This enormous expansion has provided access for new and variegated social groups all over the country (including the districts in the periphery) that could not obtain higher learning previously. Yet the reports of the CHE point out that this has affected the quality of HE and the average level of achievement has decreased in many fields.

One clear indication that things were getting out of control was the appearance in the early 1990s of extensions of foreign institutions that required little learning and provided easily obtained academic degrees in return for high tuition fees. The total number of students

studying in the 10 extensions reached about 20,000 in the late 1990s, many of them public employees who could use it to increase their salaries. Cases of fraud were taken to the courts and these extensions started to be closed in 1998—but not before their impact on the devaluation of HE in Israel was broadly felt.

The Israeli private colleges are not considered part of the for-profit sector. They provide mostly professional training and this emphasis has put a great deal of pressure on the more general educational orientations of the public HE sectors. Moreover, most of the colleges, public and private alike, rely heavily on part-time, short-term, underpaid, and nontenured teachers. These faculty members have no work security. In 2007 they constituted on average 51 percent of the teaching faculty in the public colleges and 17 percent in the universities (excluding the Open University). There is no comparable data for part-time teachers in the private colleges, but it is also high and in any case almost their entire faculty is nontenured. In general, these developments are considered to be responsible for the gradual erosion of academic freedom in many HEI in Israel. This trend is also manifested in the pressures on the universities to introduce salary differentiation in faculty income, not only in relation to research grants that exist already, but also on the basis of student demand for certain fields of study.

Finally, another source of political duress in Israel is the ongoing Arab-Israeli conflict. HEI cannot be isolated from the turbulent environment and free speech is threatened time and again when external groups try to curb the appearance of radical speakers on campus or prevent demonstrations of Arab students. Things became even more difficult after a terrorist explosion on the Hebrew University campus in July 2002 killed eight students and wounded about seventy; this led to strict security restrictions on free entrances to all HEI in the country.

In sum, Israel managed to develop a good, if somewhat rigid system of HE and to maintain academic excellence based on the core values of academic freedom and institutional autonomy. This system is being threatened now from two directions.

POLITICAL INTIMIDATION

In May 2008, Professor Ze'ev Sternhel from the political science department at the Hebrew University was awarded the Israel Prize for his academic achievements. Before that, the Supreme Court had denied a motion by a right-wing organization that argued that Sternhel should not receive the prize because in his newspaper articles he allegedly incited readers against the settlers in the occupied territories. On September 25, 2008, a pipe bomb exploded at the gate of his house, wounding him slightly. The bomb could have killed him or a member of his family. No group took responsibility, but leaflets found on the scene indicated the right-wing ideology of those who did it. The police issued a statement saying that they believed the attack was ideologically motivated. As of May 2009 no suspect had been apprehended.

One could argue that politically motivated violence has not been rare in Israel and the attempt on Sternhel's life was not on him as a professor but as a vocal left-wing citizen. However, the attack on an academic exercising his free speech rights was not accidental. Academic free inquiry is also a major contributor to civic freedom in democracies. In Israel, the existence of institutions whose members practice and preach free inquiry has become a red flag in the eyes of extreme right-wing groups. These groups are trying to silence them because of their clear and different voice and because they assume (right and probably wrong) that these academics have a great deal of influence.

Even if one takes the position that such an attack is not directed at academics as such, the subjective impact and its consequences for the perceived academic freedom cannot be ignored. This impact was expressed in the exchanges on a social science website immediately after the attack.³ In the voluminous traffic of messages that lasted about a week, the recurring themes were apprehension, anxiety, and fear—apprehension that it was a direct attack on freedom of expression *and* academic freedom, anxiety that this is a beginning of a wave of violence, and fear for personal safety. The words “threat” and “intimidation” kept coming up in a context that suggested that the writers took the attack as personally directed against them and as a means of restricting their academic freedom. A few examples:

- ▶ “Every one of us should consider the bomb aimed at him or her.”
- ▶ “We must declare that bombs would not deter us from expressing our views.”
- ▶ “Please note that a few months ago an article in Kol Hair [a local Jerusalem weekly] quoted a right-wing publication stating that 28% of the syllabi in the political science department at the Hebrew University are anti-Zionist.”

These are all subjective responses, but the threat was real enough and it may achieve its purpose once HE teachers may start changing their syllabi as a result of such an intimidation.

The attack on Professor Sternhel was not unrelated to the nonviolent but still dangerous intimidating attacks on individual academics as in the following example. The website Israel-Academia-Monitor.com is part of the right-wing organization Campus Watch in the United States. Here are a few samples of what they write:⁴

- ▶ “Israeli university campuses may be more politicized and contain larger numbers of extremists than universities in other democratic countries, people working to support the enemies of their own country during a time of war.”
- ▶ “Academic colleagues get used to it—yes, you are being watched. Those obscure articles in campus newspapers are now available on the Internet . . . your syllabi will be scrutinized, your websites will be visited late at night. . . [.]”
- ▶ “[D]uring the Intifada, professor [full name appeared in origin and deleted by author] from Ben-Gurion University illegally entered Ramallah to serve as human shield for wanted murderers and to show his solidarity with terrorism.”

In another location the site presents a photograph of a certain professor standing with Palestinian leader Yasir Arafat, and attached to it is a list of names of faculty members “who promote mutiny and insurrection by soldiers, who *collaborate* [emphasis added] with anti-semites and enemies of Israel.”

In the loaded atmosphere of Israeli politics these words with the names and photographs could easily lead to violent acts against the people identified. Ze'ev Sternhel appeared in these lists. Note the word “collaborate,” which was the term used against Jews who cooperated with the Nazis in the concentration camps. “Collaborator with the enemy” also was used against Prime Minister Yitzhak Rabin before he was murdered by a fanatic in 1995.

The irony is that all of this is done in the name of “free speech” and such sites claim that democratic transparency and accountability are the goal of their efforts at exposure.

Taking a broader perspective, one should note that verbal threats against academics involved in public life in Israel are not new (for example, they were directed against the late professor Yeshayahu Leibovitz when he was a candidate for the Israel Prize). But direct violence by extreme groups on the far right is an alarming escalation. As noted above, in the early days of Labor Party domination, politicians were not very happy with the independence given to academics to express opposing opinions in public while taking shelter in the academic sanctuary—that is, without suffering the consequences of possible dismissal. But the displeasure was not translated into threats or personal intimidation perhaps because in these days the ideological cleavage in Israeli society was not so deep. The rift started to grow after 1967 as more and more academics became involved in various activities as opponents of the continuation of the occupation. Peace Now was established in 1978 by students and faculty members of the Hebrew and Tel Aviv universities and most of the subsequent opposition groups appearing in the next three decades, including the most defiant, came from the same circles.⁵ On February 10, 1983 a hand grenade was thrown at a Peace Now rally, killing Emil Grunzweig, a student, and wounding six others.

Granted, there is a distinction between one's work role as an academic student, teacher and researcher and one's involvement in the political and social sphere as a citizen. Academics should be the first to be conceptually clear about this distinction and convey it to their students and the public at large. Equally important, the freedom of academics to express their opinions and to oppose the government

of the day should not be extended to practicing it in the classroom. However, the distinction may be difficult to grasp, particularly in politically charged societies. In Israel one hears time and again calls to dismiss academics for opinions that they express as citizens. What lies behind this is more than just opposition to a specific irritating utterance. It often reveals deep loathing for the whole idea of free thinking embodied in the *raison d'être* of universities. When the free exchange of ideas inside and outside the campuses is conceived as a threat, intimidation begins and when intimidation is perceived as failing, violence could be the natural next step.

The picture in Israel is complicated and the use of terms such as “extreme” to denote the groups that are trying to threaten academics fails to capture the entire landscape. It is widely assumed and only partially researched that the right-wing parties—notably Likud and the religious parties—do not have the same proportion of support among academics in HE compared to the general population. Consequently, many of their leaders have a general negative disposition toward “professors” (especially in the humanities and social sciences) when it comes to allocations from the state budget. However, Prime Minister and Likud leader Menachem Begin had high respect for HE. The National Religious Party, which has supported the settlements in the occupied territories, has been far from happy with the vocal opposition in academia, but its leader Zvulun Hamer, who served as minister of education from 1977 to 1986 and again later for altogether approximately 10 years, did not try to impose his policies on the CHE. Moreover, in general academics in Israel are not such a formidable opposition. It is safe to assume that a great majority of the “professors” spend their time in their laboratories and studies and are not involved in public life.⁶ Therefore, the threats against them stem from the same attitude that dislikes free thinking in general—and HE institutions and the active individual academics are a visible easy target.

There are those who dismiss the existence of threats to HE as a case of academic paranoia, or as an example of academic politics. According to this view, academics in the universities represent the former elite, which is afraid of losing its remaining power. Consequently, these

members of the fading elite have been trying to fortify their bastions, including HE, the Supreme Court, the labor union, and parts of the mass media. Hence there is no crisis in HE—it is just the old guard universities trying to hang on to their dwindling power against the new cadres in the new colleges. The trouble with this argument is that the crisis of HE in Israel (which will be described later) engulfs new and old institutions alike. It has affected most strongly students in the new peripheral colleges, many of whom vote for the right-wing parties. As far as politics is concerned, HEI as institutions shy away from taking positions and certainly must not be punished for the “sin” of public involvement of a small percentage of their members. If the budget cuts of HEI are punishment for their members’ exercise of their rights as citizens, or for their support for parties of their choice, then it reveals a grave democratic problem. Such “punishing” paves the way for other forms of intimidation and constitute a threat to academic core values; once they are eroded, democracy too is endangered.

In sum, the emergence of threats to HE coincided with the emergence of potential threats to Israeli democracy and they come from the same “extreme groups on the far right”—a combination of ultranationalist and ultramessianic groups. In the name of national values or a religious belief, they claim that the goal is to save the students and the public. This is the first step to apparently “clean” the universities from academic saboteurs who are capable of treason. This is not very far from the blacklisting practices in the United States during the McCarthy era, when professors were warned “to get off the faculty before they were smoked out” (Schrecker, 2008:1).

ATTEMPTS TO POLITICIZE HIGHER EDUCATION AND ENFORCE A “MANAGEMENT ORIENTATION”

Threats to academic freedom are nurtured by a general atmosphere of anti-intellectualism. The campaign to “democratize” HE in Israel is not aimed at the justified cause of further accelerating the process of massification. Its goal is to make the system more “responsive.” But responsive to what or to whom? Certainly not to the academic core values that ultimately are also the real interests of current and future students.

Politics

In the last 20 years the student population in Israel has almost tripled.⁷ With the increase in the number of HE institutions, mostly public, the geographic distribution of students has improved dramatically, providing access to the peripheries in the southern and northern districts of the country. For instance, in the southern district access to HEI grew from 9 percent to 15 percent and in the northern district it jumped from less than 1 percent to 8 percent. One would expect that this process of mass education would not only be welcomed by the government, but also be funded accordingly, at least the public part of it, to ensure that the newcomers will get proper higher education. In fact the opposite occurred.

In the years between 2001 and 2007, the real budget decreased in real terms by over 10 percent, while the per student budget decreased by some 20 percent. Moreover, in the last years the budget was not allocated as a lump sum according to the five-year budget plan, but parts had to be renegotiated annually with the ministry of finance as “special additions.” As we shall point out in the next section, the commodification-prone bureaucrats in the ministry decided to make HEI more “efficient” by forcing internal organizational changes and when their attempt to intervene succeeded only partially, they started to punish the institutions of higher learning by cutting the overall budget, and not even leaving the details of where the cuts were to be applied to the PBC.

They eventually found two powerful allies in Minister of Education Limor Livnat (2001-2006) and Minister of Finance Benjamin Netanyahu (2003-2005), both from the Likud Party. The budget cuts initiated by these two ministers and approved by the government had a devastating effect on HE in Israel. Direct government participation per university student decreased from 34,000 New Israeli Shekels (NIS) in 2000 to NIS 26,000 in 2007 and the student per faculty ration increased from 16.2 in the 1990s to 23.9 in 2007. Total academic faculty size fell by 20 percent and the average age of the remaining senior professors increased accordingly. Some of the other consequences:⁸

- ▶ Increased faculty brain drain;

- ▶ Inability to provide adequate research facilities;
- ▶ Great difficulties in retaining top-rated doctoral students;
- ▶ Danger of disappearance of entire academic disciplines, particularly in the humanities;
- ▶ Inability to compete with top universities abroad.

The two ministries embarked also on a series of structural changes, using the budget to circumvent CHE and the PBC and pose a direct threat to academic freedom. While some of the measures taken could pass under the guise of efficiency reforms, other steps were politically motivated. The CHE and the PBC could function as a useful buffer between government and the HEI as long as they enjoyed the trust of both sides. Until the 2000s, the ministers of education largely understood that in order to acquire and retain such a position, the regulating institutions must be relatively independent.

Unhappy with the structure of the CHE and the personalities in it, the new minister of education, Limor Livnat, embarked in 2002 on a policy of institutional intervention. The main goal was to change the composition of the council in order to reduce the influence of the universities and to increase the number of “public representatives” (and the minister’s political appointments) and representatives from the colleges. The result was that it weakened the entire CHE system in both directions: government and the Ministry of Finance on one hand and the HEI on the other. CHE as a public-regulating system depends on its ability to negotiate with the government on behalf of the HEI and at the same time continue to be regarded by the government as an effective mechanism in the HE system. The intervention of the minister of education crippled the CHE and it lost the goodwill of both sides. When the budget squeeze came, the PBC and the CHE were too weak to oppose it, particularly when for the first time in memory the education minister agreed to the financial cuts. The deterioration in the status of the CHE regulation capacity was manifested throughout the system. For example, in the past the Knesset Education Committee was a source of support for HEI and usually refrained from direct intervention in academic affairs. This too changed and in addition private bills were

introduced by members of the Knesset attempting to affect the internal affairs of academic institutions.

Another example: the salaries of the HE faculty are updated from time to time in direct negotiations between the faculty unions and the Ministry of Finance. When all attempts to renegotiate the salary scale failed for six years, the faculty in November 2007 went on the longest academic strike in Israel's history. It lasted over three months and the universities were practically closed for an entire semester. Breaking the previous HE system created havoc as well as ample opportunities for direct political intervention

Management

The process of “commodification” in HE and other public systems is a worldwide phenomenon presented under different justifications such as “value for money,” “accountability,” and “efficiency and effectiveness measurements.” Of course, there are inefficiencies in HE systems and individual institutions, public and private, in Israel as elsewhere. Governments in many democratic countries, including Israel, started to believe that neoliberal thinking about the self-evident advantages of the market should be applied also to HE. For the purposes of this article there is no need to open up the whole debate, but to focus on two points that have had a great impact on Israeli HE: market orientations and institutional intervention.

First: the belief that HE would be improved if subjected to the forces of the market, and for that matter to competition in general. This belief is an ideology, and should be presented as such or at least not taken for granted. Is it self-evident that there is a real market for higher learning? And if there is such a market, are we sure that its obvious deficiencies (in service delivery, productivity, quality assurance—to use some common business terms) should be attributed to “market failure”? The market works very well when the commodity demanded is defined and the various clients know what to look for in, say, a restaurant. Now imagine someone who enters a restaurant, sits for four hours, is not served anything, then pays and receives in return a certificate stating that he has eaten in a fully recognized institution of

feeding. Let us further assume that this certificate can bring our happy customer some important benefits. Is that possible? Not in a restaurant, but potentially in a HE institute that could, conceivably, provide no service and nevertheless the “customers” might not complain. This could happen in a HEI if the “commodity” is commercially defined, and the “customers” are only required to pay (according to their own perceived benefits) and are not expected to actively participate in the “production process.” In this case they may actually gain next to nothing from HE because they paid for the wrong product. HEI real service is different and this is why we call the customers “students” and define the process as “learning.”

The problems are of course more complicated, because many students are interested in the real thing—studying and learning and becoming competent in their field and as an important by-product also good citizens—while others seek the diploma only. Thus students might try to buy their degree commodity for as little learning as possible; and a profit-oriented or tuition-dependent HEI may sell the degree if the customer pays. This should not be referred to as a “market failure” of HE, because in fact a market for the real commodity (yes, learning) did not exist in the first place. And these complications apply also to the question whether there is a market for basic research, or the noncommercial search for the truth and new ideas.

The usual answer to these queries is regulation, accreditation procedures, quality assessment, and the like. However, these important tools cannot guarantee that real learning occurs in an institute of learning, which requires intimate teacher-student discussion and free (nonmarket-motivated) exchanges in the class and the laboratory. No amount of regulation can be a substitute for the trust that HEI places on the academic integrity of teachers and researchers.

Coming back to Israel, HEI that sells degrees for tuition is not an imaginary parable. As mentioned above, several “extensions” of foreign universities and their students were caught doing that and were prosecuted. A few of these institutions refused to be closed and pleaded free market rights under the constitutional Basic Law, which safeguards freedom of occupation. It took the state regulator almost 10 years and

special legislation in the Knesset to put an end to this aberration, which was driven by the free market. It should be emphasized that these “competitive” private institutions affected the average quality in all the others (public institutions included) because of the conditions of tight public budget allocations and the competition for students.

The second point—related to the first about market orientation but more institutional in nature—is the external pressures on HE and the enforcement of “management” and privatization policies. This is a familiar subject, and can be briefly discussed. Granted, HEI are still nurtured by their medieval traditions and are very reluctant to introduce structural and managerial changes. They need to introduce changes, but one should be careful in examining the alternatives. Shouldn’t the energy for innovation be directed toward academic content and not toward management? Perhaps avoiding overlap is not always positive? For instance, a certain degree of redundancy and duplication has been shown to be necessary for basic research, academic exploration, invention, and inventiveness.⁹ But the main point is that when left to themselves, HEI usually do relatively well because of academic self-administered peer regulation. Hence when changes are needed (to broaden access, or to redefine the relationship with the private sector, for example), they should be self-managed or done in cooperation with HE self-managed regulation bodies, such as, in Israel, the CHE. Governments and ministers should be in charge of the general HE policy and should decide its relative share in the country’s public pie, but they should stay away from academic internal management. After all, if governments manage as badly as the neoliberals claim, this dictum should apply to government intervention in HEI as well.

In Israel the growing intervention in the previously self-managed HE system is proving to be a failure bordering on disaster. HE in Israel has had remarkable achievements (for example, in terms of scientific publications and number of citations per capita, Israel in 2003 was in third and seventh place, respectively).¹⁰ About 1 percent of world-wide published research was authored by Israeli academics and they are frequently invited to teach and do research in many top universities abroad. But all of this could be regarded as reaping the harvest

of past seeding. Most observers of Israeli academia are sounding the alarm that HE in Israel is on a deteriorating course. For our purposes here suffice it to say that the *average* quality of HE has not increased in the last five years or so since the government started to compel HEI to embark on management reforms. One could argue that the HE commodification process has not gone far enough. But the evidence is already pointing in the opposite direction, namely that the policy of privatization, budget cuts, externally enforced structural changes, shift of resources to marketable areas all contributed to a lowering of standards in teaching, inadequate research facilities, and the shrinking of academic disciplines. Moreover, the promotion of not for profit private institutions, while saving a great deal of public money, enhanced high demand for B.A. professional degrees in business administration, law, and communication. The average level in these areas in all HEI in Israel is not considered to be very high anymore. For instance, an international assessment committee appointed by the CHE to examine business administration programs in all HEI in Israel described the general situation as “dire and deteriorating” and had many more harsh words about it. The committee’s severe conclusions were directed also toward business administration programs in the universities, known internationally in the past for their excellent quality. This has occurred despite the fierce competition for the growing number of business administration students between the universities, the public-funded colleges, and the private colleges. This situation raises the interesting possibility that such competition could have a negative effect on HE: it may lower quality standards and pose a real danger of corrupting the entire field.¹¹ The danger here is that the right of everyone to learn would be replaced by a right to earn an academic degree.

And where is the regulator? HE cannot be truly regulated from the outside. Accreditation bodies such as the CHE in Israel and elsewhere can guarantee a threshold of minimum requirements at the initiation of new institutions and programs. But the real academic standards in research and teaching are established and maintained by the spirit of free inquiry and the devotion of tenured faculty; and also by their peers peering over their shoulders. No external quality assess-

ments can match this old but still effective method of development in the sciences—certainly not cost-effective measurements of academic output or any other management tool. The “production” process of the academic “commodity” is at its best when allowed to produce nothing that can be strictly defined in advance. The HE system in Israel was better off before management orientations were forcibly introduced, threatening to kill the hen that was laying quite impressive golden eggs.¹²

FREE INQUIRY AND DEMOCRACY

Learning and research are public goods. Some of the benefits are private, namely the increased personal income of educated people, but the real benefits—including the social contribution of educated people—are collective and cannot be left to private market allocations. The curves of HE demand and supply hide its essence—human enlightenment. Academic freedom is a prerequisite because it enables free inquiry, and free inquiry in HEI is also a necessity if not a guarantee for the free exchange of ideas in democracies. One good way to judge whether a country is democratic is to examine closely the freedom of its HEI. Academic freedom includes full personal liberty from intimidation and institutional independence from external definition of the final product—that is, from commodification. The new South African constitution got it right: it includes academic freedom as part of free speech.

Israel has managed to develop good HEI, but now it is in a crisis. Other countries may also have experienced similar intellectual, institutional, and financial problems but the unique aspect of Israel’s crisis is the combination of nationalistic and religious intimidation and neoliberal attitudes and policies—both aiming at “taming” HE. Not surprisingly, it is also accompanied and encouraged by a climate of anti-intellectualism.¹³ Intimidation of individual academics is not unrelated to the notion that HEI are too independent and are given too much freedom. The accusation is familiar: these radical academics are using our tax money to incite against their own people and country. Intimidation is a potential threat not only to academic freedom but also to Israeli

democracy. When it is coupled with institutional political intervention by the government or ministers under the slogan of “democratization,” it could become a real threat. Unfortunately, political intervention was welcomed by the philistines in the Ministry of Finance who, under their slogan of “efficiency,” tried to establish their own control over the HE system.

This does not imply that in democracies public money allocations to HE, as to any other good cause, should not be transparent and fully supervised through the state budget mechanism. Political systems have ways and means to establish priorities. In fields such as HE this has to be done through accountable bodies that are shielded from political populism and external administrative intervention.

In the case of Israel, the CHE system established in the 1950’s must change.¹⁴ The gist of such a reform is to reestablish CHE as a trusted buffer between government and individual academic institutions. For this it must remain independent and focus its regulation on broad issues without interference in HEI self-governance or meddling in internal academic affairs. For example, the CHE must formulate a long-range policy to balance continued expansion of access and academic excellence. Once this is decided, then and only then can effective regulation ensue. In the short run, slogans about “democratization of higher education” should be exposed for what they are: a veil for external intervention. After all, new ideas and innovations will come sooner from free inquiry than from political or bureaucratic decisions.

NOTES

1. The Lavon affair: In 1954, while Pinchas Lavon was minister of defense, a foiled Israeli intelligence operation in Egypt resulted in a long series of internal and secret recrimination in the ruling party Mapai. In 1960 Lavon demanded that his name to be cleared from responsibility for the operation and the matter deteriorated into a major political crisis involving the leaders of the day, including Ben-Gurion, who resigned from the cabinet. Early elections were held in August 1961, but Ben-Gurion continued to demand a judicial investigation and formed a new party in 1965.

2. There were, to be sure, many accusations that certain people were not admitted or were denied tenure because of their political opinions, especially if they were close to those of the opposition parties. Obviously such things are not easily proved.
3. See <socsci-il@listserver.huji.ac.il> (September 26-October 3, 2008).
4. See Israel-Academia-Monitor.com.
5. One should note in passing the irony involved in the academic boycott of Israeli universities because of the occupation—the very same group regarded by the settlers as the main opposition to the occupation.
- 6.. My own estimation is that out of about 4,300 senior academic staff in all research universities in Israel in 2007, 10 percent at most were visibly involved in public life. But even if the number is 20 percent, it still means fewer than 1,000 people.
7. All the data in this section is taken from the Shohat Committee report, *The Examination of the Higher Education System in Israel* (July 2007) and updated by statistics provided by the staff of the Planning and Budgeting Committee of the Council for Higher Education.
8. In late 2006 the government appointed a special public committee chaired by former Minister of Finance Avraham Shohat to examine the HE system and to recommend to the government the necessary changes, including the required budget additions. The committee submitted its report in July 2007 and the recommendation have thus far been ignored by the government. The list is based on the Shohat Committee report.
9. See Landau (1969).
10. See the National Scientific Foundation (2006).
11. In the universities it was manifested in the establishment of separate for profit programs in business administration and a few other fields. Such programs usually demand much less from their students.
12. The attempts to curb self-government of HE in Israel continued in late 2008. Example: in the 2009 budget proposal the Ministry of Finance suggested abolishing the autonomous Planning and Budgeting Committee (PBC) and to allocate public funds through the Ministry of Education. This seemingly innocent proposal conceals the consistent

attempts of the Ministry of Finance to interfere with academic freedom and take away the control of public allocation from the PBC.

13. In 2004 an internal report on the Israeli system of higher education was commissioned by a foundation that prefers to remain anonymous. The report, written by former president of Harvard University, Neil L. Rudenstine, starts by noting that higher education is under unusual stress that many call it a crisis and goes on to say that “there is a perceived antipathy toward ‘elitism’ in Israeli society—and in the government. Basically, the best universities believe that ‘access’ is winning out over ‘excellence.’ They feel rather under siege.”
14. The following is based on a proposal with detailed suggestions for a 10-year vision plan submitted to the CHE when I served as deputy chair of the organization in 2007-2008.

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